

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

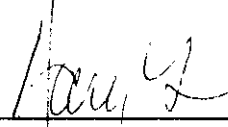
LORRAINE HARRIS,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 08-11804-NG
)	
MICHAEL J. ASTRUE,)	
Commissioner of)	
Social Security,)	
)	
Defendant.)	

PROPOSED ORDER AND ENTRY OF JUDGMENT

Pursuant to the power of this Court to enter a judgment affirming, modifying, or reversing the Commissioner's decision with remand in Social Security actions under sentence four of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g), and in light of the Commissioner's request to remand this action for further administrative proceedings, it is ordered that, upon remand, Plaintiff will receive a new administrative hearing. The Decision Review Board will instruct the administrative law judge to (1) further evaluate Plaintiff's mental impairments and, in so doing, evaluate the opinion evidence of Dr. Michael Maliszewski, and (2) before relying on vocational expert testimony at step five, ensure that such testimony is in response to a hypothetical that accurately reflects all of the limitations ultimately assessed.

Therefore, this Court hereby reverses the Commissioner's decision under sentence four of 42 U.S.C. section 405(g) and remands the cause to the Commissioner for further proceedings.

SO ORDERED this 14 day of April, 2010.



HONORABLE NANCY GERTNER
U.S. District Court